

## REMARKS

This Response is submitted in reply to the Office Action dated October 30, 2009. Claims 1 to 8, 11 to 22, 24 to 44 and 46 to 50 are pending in the present application. Claims 9, 10, 23, and 45 were previously canceled. Please charge deposit account number 02-1818 to cover the cost of any fees due in connection with this Response.

The Office Action rejected Claims 1 and 25 under U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,705,944 to Luciano ("Luciano"). Applicant respectfully disagrees with these rejections for at least the reasons set forth below.

Luciano discloses a gaming device which includes a spinning reel game mounted below an upper multi-wheel game. The multi-wheel game of Luciano includes a plurality of concentric wheels or rings, each concentric wheel including a plurality of symbols (Col. 5, lines 38 to 39). A novel drive gear drives each of the concentric wheels independently (Abstract; Col. 3, line 66 to Col. 4, line 3). The concentric wheels individually rotate and stop rotating in sequence (i.e., one at a time). For example, the outer concentric wheel spins first, the middle concentric wheel spins when the outer concentric wheel stops spinning, and the inner concentric wheel spins last (Col. 5, lines 44 to 49). A payline associated with the multi-wheel wheel game indicates one of the symbols from each of the concentric wheels when the concentric wheels have stopped spinning. Since each concentric wheel of the wheel spins independently from each of the other concentric wheels, any of the symbols on one concentric wheel can be indicated on the payline with any of the symbols from another concentric wheel.

For example, Fig. 2 of Luciano (reproduced below) illustrates Luciano's multi-wheel game.

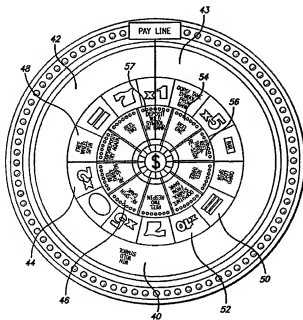
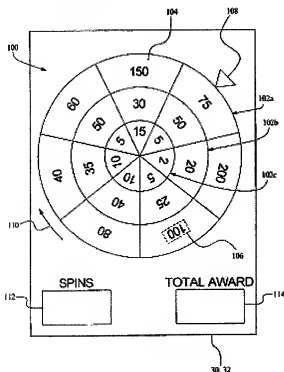


FIG. 2

Independent Claim 1 is generally directed to a gaming device which includes, amongst other elements, at least one memory device which stores a plurality of instructions which, when executed by the at least one processor, cause the at least one processor to display an award distributor associated with a game, the award distributor including an award wheel which includes a plurality of sections displayed in a predetermined arrangement on the award distributor, the predetermined arrangement including each of the sections being in a set position relative to each other section of the award distributor, each of the sections defined by one of a plurality of first coordinates and one of a plurality of second coordinates, wherein each first coordinate is associated with a group of the sections including a plurality of the sections, and each second coordinate is associated with a group of sections including a plurality of sections, and

Fig. 3 of the present application (reproduced below) illustrates an example embodiment of the award distributor of the gaming device of independent Claim 1:

FIG. 3



The Office Action stated that Luciano discloses an award wheel in which each of the sections is in a set position relative to each other section of the award distributor. The Office Action took the position that Luciano meets this limitation because in the Luciano's multi-wheel game:

each of the plurality of objects situated within each ring is stationary relative to the other objects within that ring, and also each ring is a fixed radial distance away from the other rings (Office Action, Page 4).

As indicated on Pages 2 and 4 of the Office Action, the Examiner appears to be interpreting the term “set position” to be a stationary (i.e., not moving) position. On this point, Applicant agrees with the Office Action. However, it is unclear how, under this interpretation, the Examiner can conclude that Luciano's multi-wheel game anticipates the gaming device of independent Claim 1.

Applicant respectfully disagrees with the Office Action's conclusion and submits that, unlike the gaming device of independent Claim 1, Luciano does not disclose at least one memory device which stores a plurality of instructions which, when executed

by the at least one processor, cause the at least one processor to display an award distributor including an award wheel which includes a plurality of sections displayed in a predetermined arrangement on the award distributor, the predetermined arrangement including each of the sections being in a set position relative to each other section of the award distributor.

As acknowledged by the Office Action, each symbol on a particular one of the concentric wheels of Luciano's award wheel is in a set or fixed position relative to each other symbol of that concentric wheel. For example, each symbol of Luciano's outer concentric wheel is in a set position relative to each other symbol of that concentric wheel; each symbol on the middle concentric wheel is in a set position relative to each other symbol of that concentric wheel; and each symbol on the inner concentric wheel is in a set position relative to each other symbol of that concentric wheel. As also acknowledged by the Office Action, each of the concentric wheels of Luciano's award wheel is a fixed radial distance away from each other concentric wheel. However, even if each concentric wheel in Luciano's game is a fixed radial distance away from each other concentric wheel, this does not mean that each of the symbols of one concentric wheel is in a set or stationary position on the award wheel relative to each of the symbols of another concentric wheel.

Rather, in Luciano, the symbols of one concentric wheel are free to move in relation to the symbols of each of the other concentric wheels. As a result, the arrangement or positioning of the symbols on the concentric wheels can change as the plurality of concentric wheels spin or rotate. Thus, the plurality of symbols on Luciano's award wheel, when taken as a whole, are not in a predetermined arrangement. Additionally, the arrangement of the symbols on Luciano's award wheel, when taken as a whole, does not include each of the sections being in a set position relative to each other section of that award wheel.

If the Examiner were properly analyzing Luciano's wheel (which includes three concentric wheels or rings) as whole, it is clear that Luciano does not disclose a single award wheel where each of the plurality of sections or symbols of that award wheel are in a set or stationary position relative to each other section of the award wheel.

Moreover, as Luciano touts the advantages of the concentric wheel configuration of its award wheel, one of ordinary skill would not be motivated to modify Luciano to include an award wheel where each of the sections or symbols of that award wheel are a set or stationary position relative to each other. Specifically, at Col. 3, lines 34 to 38, Luciano explains that an advantage of the invention is to provide a:

wheel game having multiple wheels providing multiple outcomes and preferably multiple types of outcomes.

Luciano achieves this objective by providing an award wheel with concentric wheels that rotate independently of each other. Since the concentric wheels are configured to move independently of (and relative to) each other, each symbol of one concentric wheel may be indicated on the payline with each symbol of another concentric reel. This configuration of Luciano results in a greater number of possible combinations of symbols and, thus, a greater number of possible outcomes for the game. Accordingly, Applicant respectfully submits that setting the symbols of the concentric reels such that each of the symbols is in a set or stationary position relative to each other symbol would significantly reduce the number of possible outcomes that could be generated in Luciano's multi-wheel game. Such a modification is clearly counter to the intended purpose of Luciano and is thus improper.

For at least the reasons set forth above, independent Claim 1 and the claims depending therefrom are each patentably distinguished over Luciano and in condition for allowance.

For reasons similar to those discussed above with respect to independent Claim 1, independent Claim 25 and the claims depending therefrom are each patentably distinguished over Luciano and in condition for allowance.

The Office Action rejected Claims 2 to 8, 11 to 22, 24, and 26 to 50 under U.S.C. §103(a) as being unpatentable over Luciano in view of U.S. Patent No. 6,336,863 to Baerlocher (Office Action, Page 5).


On pages 6 to 9 of the Office Action, the Office Action identifies a number of deficiencies in the Luciano reference. However, the Office Action provides no reasoning or explanation regarding what elements of Baerlocher are being relied upon to cure these deficiencies in Luciano.

Applicant respectfully submits that Luciano and Baerlocher, either alone or in combination, do not anticipate or render obvious a gaming device/method of operating a gaming device which includes an award distributor associated with a game, the award distributor including an award wheel which includes a plurality of sections displayed in a predetermined arrangement on the award distributor, the predetermined arrangement including each of the sections being in a set position relative to each other section of the award distributor, each of the sections defined by one of a plurality of first coordinates and one of a plurality of second coordinates, wherein each first coordinate is associated with a group of the sections including a plurality of the sections, and each second coordinate is associated with a group of sections including a plurality of sections.

For at least these reasons, Claims 2 to 8, 11 to 24, and 26 to 48 are each patentably distinguished over Luciano and Baerlocher and in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,  
K&L Gates LLP

BY  \_\_\_\_\_  
Holby M. Abern  
Reg. No. 47,372  
Customer No. 29159  
(312) 781-6024

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